

AMENDED

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office NOV 19 2006

Returned to applicant for correction NOV 27 2006

Corrected application filed JAN 19 2007

Map filed JAN 19 2007

The applicant **Elko County (c/o Mr. Randy Brown Director of Planning & Zoning)** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground Sources w/in Elko Segment Basin No. 49**
2. The amount of water applied for is **3.0 cfs - 2,000 acre feet per year**
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Municipal and Domestic Purposes**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **75043 w/in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 T35N, R56E, MDM or at a point from which the W $\frac{1}{4}$ corner of said Section 10, bears S 69 degrees 31 minutes 10 seconds W, a distance of 1,015.02 feet w/in Elko Segment Basin No. 49 -- Same pod as Permit Nos. 64869 & 59815**
6. Place of Use **Portions of the following: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3 and Section 10 lying south of the Interstate Highway 80 R/W; W $\frac{1}{2}$ Section 11 and NW $\frac{1}{4}$ Section 15 all in T35N, R56E, MDM Place of use known as the Northeastern Nevada Regional Railport**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled and cased well, equipped with motor, pump, totalizing meter and pipeline to place of use**
9. Estimated cost of works **\$100,000.00**
10. Estimated time required to construct works **10 years**
11. Estimated time required to complete the application of water to beneficial use **20 years**

No. 75043

12. Remarks:

By s/Michael D. Buschelman
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared cf/gkl

Protested _____

DENIAL OF STATE ENGINEER

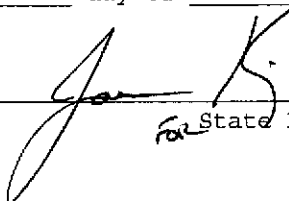
This application is hereby denied on the grounds that the granting thereof would adversely affect existing rights and threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 8th day of May, A.D. 2009

 P.E.
for State Engineer